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Letter dated 24 February 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General of the United Nations

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 19 February 2003 together with its accompanying table from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq, concerning violations of the demilitarized zone committed by United Kingdom and United States aircraft between 4 and 31 January 2003.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

* Reissued for technical reasons.

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Annex to the letter dated 24 February 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to my letter dated 14 February 2003, I should like to inform you that in the period from 4 to 31 January 2003 United States and British warplanes flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) committed 1,225 violations of Iraq's international boundaries. As shown in the table appended to this letter, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. United States and British warplanes flying from Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, violated Iraq's international boundaries, carrying out 1,225 hostile sorties and overflew the Basra, Maysan, Najaf, Babil, Rutbah, Qadisiyah, Anbar, Numaniyah and Dhi Qar governorates.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as United States F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the United States and British aircraft that carried out hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

4. Between 4 and 31 January 2003, a total of 16 drones violated Iraq's airspace from a United States or British base in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone.

5. During the above-mentioned period, United States and British aircraft flying from Kuwait bombed Iraqi towns and villages as well as civilian and military facilities, killing three people and injuring 25 others, while damaging public amenities and civilian installations.

In addition to the foregoing, Kuwait has continued to commit violations in the demilitarized zone as illustrated by the following:

1. At 2040 hours on 30 December 2002, a helicopter from Kuwaiti territory overflew the town of Safuan, in the demilitarized zone, before flying back into Kuwaiti airspace.

2. At 1615 hours on 15 January 2003, four khaki coloured Hamghi-M1114 reconnaissance vehicles penetrated the Kuwaiti section of the demilitarized zone to carry out a reconnaissance patrol there and then drove back to Kuwaiti territory at 1650 hours.

3. At 1400 hours on 29 January 2003, two Kuwaiti patrol boats attacked an Iraqi-registered fishing boat (2474-Basra) sailing in the Khawr Abdullah area near buoy No. 11. The fishing permits of the nine persons on board were confiscated and then thrown into the sea.

4. At 2345 hours on 31 January 2003, Kuwaiti coast guards boarded and inspected four Iraqi fishing boats south of `Awha island in the Arabian Gulf.

5. At 1125 hours on 1 February 2003, a helicopter coming from Kuwaiti territory was observed flying towards a Kuwaiti monitoring post located behind the headquarters of the Mission in Khawr camp. The aircraft carried out some manoeuvres around the headquarters and then flew back to Kuwait.

6. On 2 February 2003, the Kuwaiti authorities expelled Iraqi fishing boats from Khawr Abdullah, confiscated the crews' fishing permits, which they threw overboard together with the boats' cargo.

The violations being committed by United States and British aircraft from their bases in Kuwaiti territory or from Kuwaiti airspace violate Iraq's sovereignty. Moreover, the air raids that cause civilian casualties and damage Iraqi civilian and military installations, constitute a veritable undeclared war. The United Nations must take the measures required in this regard under the Charter and relevant Security Council resolutions concerning the situation between Iraq and Kuwait, which stress the need to respect Iraq's sovereignty, political independence and territorial integrity and request that all appropriate steps should be taken to put an end to the aggression and ensure that those who have committed it bear full international responsibility for it.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of the primary responsibilities of UNIKOM is to identify and report hostile military operations and take the necessary measures to halt them immediately.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that are available or could be made available to it for use in meeting the requirements of its mandate and establishing the identity and nationality of the warplanes violating Iraq's airspace and sovereignty and then taking punitive measures against the aggressors.

We hope that the United Nations Secretariat will make available to UNIKOM the appropriate tools that would enable it to identify all the violations, determine their origin and inform the Security Council so that it could take the appropriate measures in order to halt them forthwith.

I urge you once more to instruct UNIKOM to perform its duties in full and report to the Security Council through you the number and types of United States and British warplanes that overfly the demilitarized zone, violate the Security Council resolutions on the establishment of that zone and attack Iraq as such violations constitute State terrorism and wanton aggression against Iraq, its people, its sovereignty, its territorial integrity as well as against United Nations peacekeeping operations. The Council would thus be alerted to its responsibility to halt this aggression and ensure that its perpetrators are held fully responsible for it under international and the Security Council resolutions concerning Iraq.

I would also like you to intercede with the State of Kuwait in order to urge it to respect the demilitarized zone and its obligations under the Security Council resolutions concerning the establishment of that zone at the request of all States, and the resolutions calling upon all States to respect the sovereignty, independence and territorial integrity of Iraq and to stop providing assistance for this savage aggression, that violates our country's territorial integrity, destroys the property of its inhabitants and has caused thousands of Iraqi civilian casualties. I would also like

to recall that Kuwait bears legal responsibility under the Charter of the United Nations for its involvement in this aggression.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 4-31 January 2003

Date	*From*	*Time*	*Type*	*Sorties*	*Altitude (metres)*	*Speed (km/h)*	*Areas overflown*
4-13 January	Kuwait	0635-0015	F-14, F-15, F-16, and F-18 Tornado	1,225 hostile sorties, including 16 sorties by drones	9,000-12,000	180-780	Basra, Maysan, Wasit Muthanna, Karbala, Najaf, Babil, Rutbah, Qadisiyah, Anbar, Numaniyah and Dhi Qar